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JAN 3 - 2022	
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Paul Engstrom
2190 E. Mesquite Ave
Pahrump, NV 89060
In Proper Person

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

PAUL ENGSTROM

Defendant,

CASE NO: 2:21-cr-00190-APG-EJY

**Defendant's Reply to Government's
Response to Defendant's Motion for
Extension of Time to File All Pretrial
Motions (ECF No. 101)**

CERTIFICATION: This Reply is timely filed.

Defendant Paul Engstrom has moved this Court for additional time to file pretrial motions based on the need to receive and review the discovery in this case. The government has filed a response stating that they do not oppose Mr. Engstrom's request to extend time, but dispute some of the factual assertions in Mr. Engstrom's motion and proposed order. This reply addresses the government's assertion in regards to the "meet and confer" letter sent by Mr. Engstrom on October 4, 2021.

In their response the government states, "Although Engstrom claims he sent a "meet and confer" letter to the government, as of the date of this filing, undersigned counsel has not received any correspondence from Engstrom." Mr. Engstrom disputes the governments contention that no such correspondence was sent and received. On October 4, 2021, Mr. Engstrom sent a three page

1 letter, via first-class mail, to AUSA Daniel Clarkson, requesting discovery and additional materials
2 that the government agreed to provide in the Government's Disclosure Statement (ECF No. 34) filed
3 by AUSA Clarkson, on behalf of the USA, on August 2, 2021. This letter was not returned to
4 defendant Engstrom and therefore should be presumed to have been successfully delivered to the
5 addressee. A copy of this letter has been included as Exhibit 1.

6 While it may be technically true that "undersigned counsel has not received any
7 correspondence from Engstrom," this may only be the case due to the fact that AUSA Clarkson
8 government opted not to list AUSA Clarkson as one of the undersigned on the government's
9 response. ECF No. 101. This omission is especially conspicuous considering that, prior to the
10 government's response, AUSA Clarkson personally submitted seven of the eight filings that pertain
11 to Mr. Engstrom. See ECF Nos. 34, 35, 36, 42, 52, 54, and 76.

12 As of the date of this filing, the United States Attorney's Office has been admonished by
13 Magistrate Judge Weksler twice for making inaccurate representations to the Court. First on August
14 4, 2021, the DEA Agent Kurinec and the government were admonished for making false
15 representations of Mr. Engstrom's actions as stated by Agent Kurinec in the complaint and those
16 same representations that were made by the government to the Court at Mr. Engstrom's June 23,
17 2021, detention hearing. ECF No. 38 Minutes of Proceedings. Magistrate Judge Weksler again
18 admonished the government in their order dated December 6, 2021, for failing to make accurate
19 representations to the Court, stating, "Given the enormous power entrusted to prosecutors, and how
20 this power can affect a person's liberty interests, this Court admonishes the United States Attorney's
21 Office that it will not tolerate this kind of recklessness." ECF No. 93 p. 4.

22 Mr. Engstrom contends that the government assertion that "undersigned counsel has not
23 received any correspondence from Engstrom," while technically true based on the omission of
24 AUSA Clarkson from the filing, is another instance of a willful misrepresentation made by the
25 government to the Court, where the United States Attorney's Office for the District of Nevada did in
26

1 fact receive the October 4, 2021, "meet and confer" letter.

2 Mr. Engstrom asks the Court to take judicial notice of Mr. Engstrom's October 4, 2021, "meet
3 and confer" letter, as submitted with this reply, insomuch as a good faith effort to meet and confer is
4 required prior to the filing of pretrial motions related to certain discovery matters, for example,
5 Motions to Compel Discovery.

6 DATED this 29th day of December, 2021.

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8
9 Respectfully Submitted,

10 

11 Paul Engstrom

12 *In Proper Person*
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EXHIBIT 1

(October 4, 2021 “meet and confer” letter)

Paul Engstrom 06870-041
 2190 E Mesquite Ave
 Pahrump, NV 89060

To:

Daniel Clarkson
 Assistant United States Attorney
 501 Las Vegas Boulevard South, Suite 1100
 Las Vegas, NV 89101

10/4/2021

Re: ENGSTROM (Case No. 2:21-cr-00190-APG-EJY)

Dear Mr. Daniel Clarkson,

This letter is sent with the intention to act as a "meet and confer" as required by Local Rule IA 1-3(f)(1).

I would like to request the following from your office, as it relates to case Case No. 2:21-cr-00190-APG-EJY

First, I would like to request that you Stipulate to Continue this case for a period of not less than 90 days and reset the deadline for filing pretrial motions to no earlier than January 11, 2022. This is required in the interest of justice, as I have yet to receive any discovery. Also, none of the Search Warrants or their supporting affidavits have been provided.

Second, I am requesting that you provide discovery as agreed to in the Government Disclosure Statement that was filed on August 2, 2021. Specifically, I am requesting the items listed in the Discovery Schedule in paragraph A(2) pertaining to the search warrants and supporting affidavits. I am requesting the following search warrants, their supporting affidavits and the returns for those warrants. Additionally, I am requesting any search warrants, their supporting affidavits and the returns for warrants not listed but in the government's possession.

Warrant # or Other Information	Warrant Discription	Additional Information
9114 9999 4431 4292 1669 84	Jesse Murff Package	
USPIS Case # 2729520 / 9114 9999 4431 4292 1665 64	McBeck Consulting Package	
USPIS Case # 3298765 / 9114 9999 4431 4292 1669 84	Jesse Murff Package	
2:21-mj-0094-BNW	GPS Tracking on Cuomo Silverado	

2:21-mj-0124-DJA	Pen Register on 518-229-3002	
2:21-mj-00182-DJA	GPS Tracking on Cuomo Silverado	
2:21-mj-209-BNW	Pen Register on 725-232-0790	
USPIS Case # 3298765 / 9114 9023 0722 4923 2442 17	Lukia Kakia Consensual Encounter	
2:21-mj-00282-EJY	Pen Register on 702-443-8354	
USPIS Case # 3347366-PMN / 9114 9023 0722 4029 8186 40	Zach Jensen Controlled Delivery	
USPIS Case # 3347366-PMN / 9114 9023 0722 4029 8186 64	Zach Jensen Controlled Delivery	
9114 9023 0722 4293 2442 79	Margaret McClure Package	
2:21-mj-0326-BNW	GPS Tracking on Cuomo Silverado	
2:21-mj-00398-DJA	GPS Tracking on Cuomo Silverado	
2:21-mj-00487-VCF	Colin Nies Package	
2:21-mj-512-DJA	6/17/2021 Anticipatory Search Warrant	
2:21-mj-513-DJA	6/18/2021 Anticipatory Search Warrant	
	Search Warrant for 305 Saint Augustine	
	Search Warrant for 487 Petal Dew	
	Search Warrant for 10388 Midseason Mist	
	Search Warrant for 6145 Harrison Dr #4	
	Search Warrant for 304 E Silverado Ranch	
	Search Warrant for 2007 BMW	
	Search Warrant for 2017 Cadillac	
	Search Warrant for 2017 Chevy Silverado	
2:21-mj-0664-NJK	Search Warrant for Blink Cameras	
9114 9023 0722 4823 2571 25 / 2:20-mj-1114-BNW	Ryan Parent Package	May have different Warrant
9114 9023 0722 4823 2583 37 / 2:20-mj-1114-BNW	Spencer Gietzen Package	May have different Warrant
9114 9023 0722 4823 2582 76 / 2:20-mj-1114-BNW	Andreas Osti Package	May have different Warrant
9114 9023 0722 4823 2584 12 / 2:20-mj-1114-BNW	Alejandro Ruiz Package	May have different Warrant

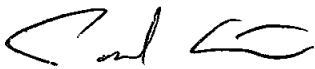
It appears that the last four packages, which were seized on 12/29/²⁰²⁰~~2021~~, may have separate

warrants for each package. The 302's associated state that each package had it's own warrant issued, but the complaint states they were all searched pursuant to the warrant number listed.

Finally, I am requesting the the discovery that was provided to the other defendants in this case in early to mid August. My previous counsel has not provided or forwarded anything that had been previously provided, and stated that you would be providing it to me directly.

The requested information can be sent to me directly at the address listed in the header of this letter. Please advise on the Stipulation to Continue as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Engstrom', with a stylized, cursive script.

Paul Engstrom

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BY:	DEPUTY

Las Vegas PDJC 89199
THU 30 DEC 2021 PM

United States District Court
Attn: Clerk
333 Las Vegas Boulevard South
Room 1334
Las Vegas, NV 89101

Legal Mail